Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

MISCELLANEOUS PETITION NO. 7 OF 2014

IN

TESTAMENTARY SUIT NO. 12 OF 1984

IN

TESTAMENTARY PETITION NO. 304 OF 1983

V. Krishnan Kutty & Ors. …Petitioners
Versus
Mrs. Chandra Indersen Mirchandani …Defendant

WITH

MISCELLANEOUS PETITION (L) NO. 477 OF 2016

Shivkumar Indersen Mirchandani ...Petitioner
Versus
Lt. Col. (Retired) Krishna Shankar Mathur ...Respondent
And
Rajiv T.L. Mirchandani & Anr. ...Respondents

Mr. J. P. Sen, Senior Advocate, *with Mr. Udaybhanu Sinh, i/b Ivor D'Cruz for the Petitioner in MPTL No. 477 of 2016 and Respondent No. 1 in MPT No. 7 of 2014.*
Mr. Zubin Behramkamdin, *with Mr. P. Purohit, i/b M/s. Purohit & Purohit, for the Petitioner in MPT No. 7 of 2014.*
Mr. Raj Patel, *with Mr. A. Shinde & L. Wangdi, i/b M/s. Trilegal, for Respondent Nos. 2 and 3.*

CORAM: G.S. PATEL, J
DATED: 5th May 2016

PC:-

1. Amongst the very many properties in dispute is an immovable property at Aundh, Pune bearing Plot No. 204/205 (old) and New No. 284/359 in Sind Cooperative Housing Society Limited at Pune 411 007. This property will need to be sold and the sale proceeds divided amongst the claimants in proportion to their respective sharers or entitlements. What the shares and entitlements are will be determined at a later stage.

2. For the present, the Court Receiver, who has long ago been appointed of this property, will obtain a valuation of the property on an as-is-where-is basis from M/s. Amol Vora & Co. That valuation is not to be disclosed to the parties. It will be placed before the Court immediately on re-opening on 6th June 2016. Along with this, the Court Receiver will place before the Court his proposed draft of the terms and conditions of sale by public auction of this property.

3. Mr. Sen, who appears for the Petitioner in Miscellaneous Petition No. 477 of 2016, makes a statement that Mr. Rajiv T.L. Mirchandani, the 2nd Respondent to that Miscellaneous Petition, is a member of his father's HUF and will accordingly have a share, right, title and interest in the assets and properties of that HUF.

4. Stand over to 6th June 2016 at 3.00 p.m.

(G. S. PATEL, J.)